CLASSIFICATION OFFICE DECISION

Title of publication: !!!New!!!(PTHC) 8yo Tara 3 (Masturbate)- Sound.mpg

Other known title(s): Not stated

OFLC ref: 0802498.000

Medium: Computer Moving Image File

Producer: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court at Auckland

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 09 April 2009

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	Computer Moving Image File	8:29
Total running time:		8:29

Summary of reasons for decision:

The computer moving image file is deemed to be objectionable because it promotes and supports the exploitation of children for sexual purposes. It consists of a video clip that explicitly depicts the violent sexual abuse of a young child by a man. The publication invites the viewer to regard children as sexually available and desirable, and serves to legitimise a sexual interest in children.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's

intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.